

EXHIBIT G

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUNGIE, INC.,

Plaintiff,

v.

AIMJUNKIES.COM; PHOENIX
DIGITAL GROUP LLC; DAVID
SCHAEFER; JORDAN GREEN;
JEFFREY CONWAY; JAMES MAY,

Defendants.

No. 2:21-cv-811-TSZ

**BUNGIE, INC.'S INITIAL
DISCLOSURES**

Plaintiff Bungie, Inc. ("Bungie" or "Plaintiff") by and through its attorneys, hereby makes the following initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1). Because investigation and discovery are ongoing, Bungie reserves the right to supplement and amend this disclosure pursuant to Rule 26(e), to produce additional information acquired during the course of discovery, and to rely on such additional information as evidence in this action. These disclosures are made without waiver of, or prejudice to, any objection Bungie may have to the use at trial of any of the information disclosed in this document, the document itself, or any document or thing identified or produced pursuant to Rule 26.

By submitting its initial disclosures and identifying documents by category below, Bungie does not waive its right to object to the production of documents or the testimony of

BUNGIE'S INITIAL DISCLOSURES
(No. 2:21-cv-811-TSZ) – 1

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

witnesses, on any ground including, without limitation: (1) on the basis of the attorney-client privilege, work product privilege, or any other privilege or exemption; (2) on the ground that the documents are not relevant to the claims and defenses in this case or are not reasonably calculated to lead to the discovery of admissible evidence; or (3) on the ground that the documents are not sufficiently relevant to justify the expense of production.

A. Persons Disclosed Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(i).

Bungie believes the following individuals may have knowledge of facts relevant to a claim or defense. Because Bungie is continuing its investigation, it is possible that some of the individuals listed may not, in fact, possess knowledge of facts relevant to a claim or defense or may only have knowledge that is duplicative of knowledge possessed by others.

Individual	Address	Subject Matter
Edward Kaiser Engineering Lead Bungie, Inc.	May be contacted through counsel	Bungie's <i>Destiny 2</i> software code; the <i>Destiny 2</i> game engine; operation of Defendants' cheat software; users of Defendants' <i>Destiny 2</i> cheat software; complaints from non-cheating players about Defendants' <i>Destiny 2</i> cheat software; Bungie's harm.
Clinton Hodgson Senior Director of Accounting Bungie, Inc.	May be contacted through counsel	Financial impact of Defendants' <i>Destiny 2</i> cheat software; Bungie's harm.
David Schaefer	5669 Snell Ave., #433 San Jose, CA 95123	Defendants' creation, development, advertising, and sale of Defendants' <i>Destiny 2</i> cheat software; Defendants' direct and secondary infringement of Bungie's copyrights in <i>Destiny 2</i> ; Defendants' revenue and profits from sale of their <i>Destiny 2</i> cheat software; Defendants' use of Bungie's DESTINY trademarks in connection with the cheat software.
Jordan Green	2893 SW Dickinson Street Portland, OR 97219	Defendants' creation, development, advertising, and sale of Defendants' <i>Destiny 2</i> cheat software; Defendants'

BUNGIE'S INITIAL DISCLOSURES
(No. 2:21-cv-811-TSZ) – 2

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

Individual	Address	Subject Matter
		direct and secondary infringement of Bungie's copyrights in <i>Destiny 2</i> ; Defendants' revenue and profits from sale of their <i>Destiny 2</i> cheat software; Defendants' use of Bungie's DESTINY trademarks in connection with the cheat software.
Jeffrey Conway	8837 W. Vernon Phoenix, AZ 85037	Defendants' creation, development, advertising, and sale of Defendants' <i>Destiny 2</i> cheat software; Defendants' direct and secondary infringement of Bungie's copyrights in <i>Destiny 2</i> ; Defendants' revenue and profits from sale of their <i>Destiny 2</i> cheat software; Defendants' use of Bungie's DESTINY trademarks in connection with the cheat software.
James May	2217 Polo Park Dr. Dayton, OH 45439	Defendants' creation, development, advertising, and sale of Defendants' <i>Destiny 2</i> cheat software; Defendants' direct and secondary infringement of Bungie's copyrights in <i>Destiny 2</i> ; Defendants' revenue and profits from sale of their <i>Destiny 2</i> cheat software; Defendants' use of Bungie's DESTINY trademarks in connection with the cheat software.
Corporate Representation of Phoenix Digital Group	Unknown	Defendants' creation, development, advertising, and sale of Defendants' <i>Destiny 2</i> cheat software; Defendants' direct and secondary infringement of Bungie's copyrights in <i>Destiny 2</i> ; Defendants' revenue and profits from sale of their <i>Destiny 2</i> cheat software; Defendants' use of Bungie's DESTINY trademarks in connection with the cheat software.

Bungie's investigation, research, and analysis of the issues are ongoing. If Bungie identifies additional individuals likely to have discoverable information that it may use in this matter, it will supplement this disclosure pursuant to Fed. R. Civ. P. 26(e).

BUNGIE'S INITIAL DISCLOSURES
(No. 2:21-cv-811-TSZ) – 3

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

B. Documents to Be Disclosed Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(ii).

The following documents are located in the offices of Plaintiff and/or its counsel, Perkins Coie LLP.

- Documents related to Bungie's United States copyright registrations for *Destiny 2* and *Destiny 2: Beyond Light*.
- Bungie's United States trademark registrations.
- Documents related to Bungie's use of its DESTINY trademarks.
- Documents related to Defendants' infringement of Bungie's copyrights.
- Documents related to Defendants' infringement of Bungie's trademarks.
- Documents related to Bungie's damages from Defendants' infringement of Bungie's copyrights and trademarks

Nothing in this initial disclosure is a representation that any particular document or thing is relevant to any issue in this action or that any particular document or thing exists or is in Bungie's possession, custody, or control. Bungie's investigation, research, and analysis of the issues in this matter are ongoing. Bungie expressly reserves the right to supplement its identification of categories of documents pursuant to Fed. R. Civ. P. 26(e) as its investigation continues.

C. Information Disclosed Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iii).

The following computations of damages are good faith estimates only. Bungie reserves the right to revise and/or supplement these preliminary computations as its investigation and analysis of damages progresses.

Bungie's damages include its actual damages and Defendants' profits from their infringement of Bungie's intellectual property or, at Bungie's election, statutory damages pursuant to 17 U.S.C. § 504(c). Bungie's damages further include its reasonable attorneys' fees and costs and any other applicable relief under these sections. Pursuant to 15 U.S.C. § 1117,

1 Bungie's damages also include a trebling of damages and Defendants' profits from Defendants'
2 unauthorized use of Bungie's trademarks.

3 **D. Information Disclosed Pursuant to Fed. R. Civ. P. 26(a)(1)(A)(iv).**

4 Bungie is not aware of any insurance policy applicable in this matter.

5
6 DATED: July 1, 2022

By: /s/William C. Rava

William C. Rava, WSBA No. 29948

Jacob P. Dini, WSBA No. 54115

Perkins Coie LLP

1201 Third Avenue, Suite 4900

Seattle, WA 98101-3099

Telephone: 206.359.8000

Facsimile: 206.359.9000

Email: WRava@perkinscoie.com

Email: JDini@perkinscoie.com

Attorneys for Plaintiff Bungie, Inc.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
BUNGIE'S INITIAL DISCLOSURES
(No. 2:21-cv-811-TSZ) – 5

Perkins Coie LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Phone: 206.359.8000
Fax: 206.359.9000

CERTIFICATE OF SERVICE

The undersigned hereby certifies that they served a copy of the foregoing Bungie, Inc.'s Initial Disclosures to the following on July 1, 2022, via email at the email address below:

Philip P. Mann, WSBA No. 28860
Mann Law Group PLLC
403 Madison Ave. N.
Suite 240
Bainbridge Island, WA 98110
Telephone: 206.855.8839
Facsimile: 866.341.5140
Email: phil@mannlawgroup.com

/s/Jacob P. Dini
Jacob P. Dini